

URS-BLL JOINT VENTURE

ON BEHALF OF THE

CALIFORNIA PRISON HEALTH CARE RECEIVERSHIP
CORPORATION
OFFICE OF THE RECEIVER

REQUEST FOR QUALIFICATIONS

FOR

OSHPD COMPLIANCE REVIEW and CERTIFICATION CONSULTING
SERVICES

JULY 23, 2008

QUALIFICATIONS DUE: 2:00 PM MONDAY, AUGUST 20, 2008

SUBMITTAL PACKAGES SHOULD BE ADDRESSED TO:

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I. REQUEST

On behalf of the Receiver of the California Department of Corrections and Rehabilitation's ("CDCR") prison medical system, the URS/BLL Joint Venture ("URS/BLL") is seeking statements of qualifications from qualified firm(s) to provide OSHPD compliance review consulting services (the "Services") for one (1) to seven (7) new prison healthcare facilities on existing state prison sites. The Services shall be coordinated with, and in support of, the planning, programming, design and construction of the facilities, and with the general building code compliance consultant (the "GBC Consultant") under a separate scope of work. While URS/BLL is issuing separate RFQ's for the OSHPD Services and for the GBC Consultant, nothing is intended to prohibit a single firm from submitting qualifications under both solicitations. For highly qualified firms submitting under both RFQ's, URS/BLL will consider a single award for both scopes of work.

URS/BLL Joint Venture ("URS/BLL") is providing program management on the above project on behalf of California Prison Health Care Receivership Corporation ("CPR"), which provides staff and infrastructure to support the work of the Receiver. Currently, URS/BLL is developing the planning, programming, pre-design and implementation of facilities for up to 10,000 new medical and mental health beds for correctional patients currently housed in state prisons. Ultimately, URS/BLL will be responsible for the management of the delivery (design and construction) for the entire program. URS/BLL anticipates that this program will utilize integrated project delivery ("IPD") to deliver the facilities (see <http://www.leanconstruction.org/readings.htm#PRIMER> and <http://www.aia.org/ipdg> for background information on integrated project delivery).

URS/BLL and CPR are seeking firm(s) to provide the Services, including reviewing plans and specifications during design and construction for those parts of the facilities which require (or foreseeably may require) certification to OSHPD. The GBC Consultant will provide reviews for compliance with general building codes for the parts of the facilities not subject now or in the foreseeable future to OSHPD jurisdiction. The firm(s) selected will be required to coordinate closely with the GBC Consultant to ensure that all parts of the facilities are reviewed for compliance with the applicable codes and building standards.

II. BACKGROUND

As a result of the State of California's ongoing failure to provide medical care to prison patients at constitutionally acceptable levels, the United States District Court for the Northern District of California has established a Receivership to assume the executive management of the California prison medical system and raise the level of care up to constitutional standards. On February 14, 2006, the Court appointed a Receiver granting, among other powers, the authority to exercise all powers vested by law in the Secretary of the CDCR as they relate to the administration, control, management, operation, and financing of the California prison medical health care system.

The Court's actions stem from the case of *Plata v. Schwarzenegger* -- a class action law suit brought on behalf of the CDCR's adult inmates. Applicants should refer to the Court's October 3, 2005 "Findings of Fact and Conclusions of Law Re Appointment of Receiver" and the Court's February 14, 2006 "Order Appointing Receiver" for further information regarding the conditions

underlying the Receivership and the powers and responsibilities of the Receiver. These and other relevant documents can be found on CPR's website at:
<http://www.cprinc.org/materials.htm>.

CPR intends to conduct an intensive "Preliminary Design and Validation Phase" or "Co-Opetition", in which three integrated project delivery teams will compete and collaborate in the design of prototype facilities adaptable for the various sites in the 10,000 bed program. Following the Co-Opetition, CPR will select integrated project delivery teams to design and construct individual facilities as sites are available for construction. The selected consultant will provide code compliance support services for the integrated project delivery teams (as a consultant to CPR) in all phases of design and construction as part of the Services.

The selected firm's interaction with the selected integrated project delivery teams will be more continuous and collaborative than in traditional delivery methods, where code consultants are asked to review fairly complete designs for code compliance, with subsequent re-design by the design team for design aspects that fail to comply with building standards. Under CPR's IPD approach, the design from the earliest stages proceeds with input from code compliance reviewers, and **not** by progressing the design to a certain stage of development and then requesting that the code consultant review the design at particular milestones. The selected consultant will provide its code compliance services continuously throughout development of the design by providing on-going code compliance guidance.

III. ANTICIPATED SCOPE OF SERVICES

A. General Scope of Services

Qualified firm(s) will provide the necessary personnel, equipment and material to perform and accomplish the review and certification process during conceptualization, criteria design, detailed design and implementation documents, and throughout construction, to comply with federal, state and local codes and licensing regulatory requirements for those parts of the facilities which are, or foreseeably may become, subject to the jurisdiction of the Office of Statewide Health Planning and Development ("OSHPD"). Interface and coordination with the Office the State Fire Marshal is also included in this scope. The Services will include, but are not limited to, the following:

- **Building Codes Compliance Review:** The facilities must comply with the California Building Code Title 24 and other regulatory compliance and ordinances. Services will consist of ongoing review of facility designs for full compliance with applicable codes, ordinances and other regulatory conditions for those parts of the facilities which are, or foreseeably may become, subject to the jurisdiction of OSHPD. The compliance reviews will not occur only at designated milestones, but will be provided on a continuous basis to inform the design and pre-construction planning of the facilities, consistent with an integrated project delivery approach.
- **OSHPD Strategy:** CPR seeks to maximize the utility of the facilities for future changes in the inmate population and foresees that certain beds planned for sub-acute care may need to be licensable as acute care beds in the future. The selected consultant will consult with and advise CPR and its consultants on code issues impacted by CPR's strategic determinations as to design of the facilities for current and potential future bed needs.

- **Agency Coordination:** The selected firm(s) will act on behalf of CPR to coordinate with various government agencies as to matters of compliance with applicable building codes and standards for those parts of the facilities which are, or foreseeably may become, subject to the jurisdiction of OSHPD.
- **Certification to OSHPD:** The successful firm(s) will act as the independent peer reviewer to certify code compliance to OSHPD for those parts of the facilities which are, or foreseeably may become, subject to the jurisdiction of OSHPD.

B. Timing and Schedule

Time is of the essence. It is anticipated that upon selection of the firm(s) and negotiation of contract scope of work and fees, work will commence July 2008 and continuing until program completion (anticipated to be 2013).

IV. DELIVERABLES

The deliverables required will be stipulated in conjunction with the approved work plan and associated staffing plans and schedules in a Work Order attached to the awarded contract.

ALL DELIVERABLES CREATED BY THE CONTRACTOR UNDER THE AGREEMENT, WHETHER OR NOT IDENTIFIED AS CONTRACTUAL DELIVERABLES, WILL BE THE PROPERTY OF THE RECEIVER.

V. SELECTION AND CONTRACTING PROCESS

An evaluation committee (the "Committee") will review the submitted qualifications in accordance with submittal requirements and evaluation criteria set forth below and will identify a short list of firms for further consideration. Upon acceptance of the short list, URS/BLL and/or CPR may invite short-listed firms to make oral presentations to the Committee.

If URS/BLL and/or CPR elect to conduct oral interviews, the entire proposed key staff of any short-listed teams must be available to participate in these interviews. The Committee will then conduct a final evaluation, make a final determination and begin negotiations with one or more of the firms that have submitted their qualifications and whose responses are most advantageous to CPR.

URS/BLL and/or CPR reserve the right to seek clarification of information submitted in response to this RFQ and/or request additional information during the evaluation process. URS/BLL and/or CPR reserve the right to accept or reject any or all submissions when it is determined, in the sole discretion of URS/BLL and/or CPR to be in the best interest of the Receiver.

URS/BLL and/or CPR intend to negotiate and enter into a services agreement ("the agreement") with the selected respondent promptly upon selection. Prior to commencing the Services, the selected respondent must sign the Agreement and provide proof of insurance.

VI. EVALUATION CRITERIA

The Committee will review qualifications in accordance with the following criteria:

- A.** Respondent's proven experience, capabilities and resources, at both the corporate and individual levels, in providing OSHPD-level code compliance review to programs comparable in size, scope of work, and urgency.
- B.** Qualifications, availability and commitment of key staff. Respondents shall clearly identify the key staff that will perform each of the above-described areas of scope, what role each is anticipated to fulfill in connection with the Project, and what percentage of their time will be devoted exclusively to this Project.
- C.** Proven systems, management techniques, required expertise and resources designed to facilitate timely and effective decision-making and stakeholder coordination.
- D.** Cost or relative value of services provided.
- E.** Completeness and comprehensiveness of response to this RFQ and compliance with the submittal requirements.
- F.** Quality of oral interviews including technical analysis and presentation (if requested by URS/BLL and/or CPR).
- G.** Legal actions that might affect respondent's ability to perform as contracted.
- H.** Absence of any relationship that could constitute a conflict of interest or otherwise impede the ability of the respondent to protect the interests of the Receiver.

VII. SUBMITTAL REQUIREMENTS

A. RFP Schedule

RFQ Issued	July 23, 2008
Deadline for questions regarding RFQ	August 6, 2008
Responses to questions	August 8, 2008
Qualifications due	August 20, 2008
Notification for interviews (estimated)	August 22, 2008
Interviews (estimated)	August 27-28, 2008
Selection announced (estimated)	September 4, 2008
Estimated project start date	September 15, 2008

B. Addenda

Any questions regarding the RFQ should be submitted to URS/BLL and/or CPR in writing. URS/BLL and/or CPR will, at its discretion, respond to questions in an addendum. Any necessary information not included in this RFQ that URS/BLL and/or CPR deem necessary and relevant to responding to the RFQ will also be issued in an addendum. URS/BLL and/or CPR make no guarantee that all questions submitted will be answered.

Addenda will be sent to all known applicants. If the Respondent did not receive this RFQ directly from URS/BLL and/or CPR, notify URS/BLL in writing of a request to receive any addenda by **August 6, 2008.**

C. Format

Submission packages should be clear, concise, complete, well organized and demonstrate both respondent's qualifications and its ability to follow instructions.

5 (five) copies of the submission package should be provided, with all materials bound together in a package of no more than twenty (20) 8-1/2" x 11" single-sided pages. At least one (1) copy must contain original signatures and be marked ORIGINAL. Do not include marketing materials.

Pages must be numbered. We will not count, in the total, the graphic cover sheet, cover letter, table of contents, blank section dividers (tabs), explanations about legal actions, and a maximum of 12 resumes, which may be included in an appendix. The entire submission (the "Submission Package") shall also be submitted in electronic (pdf) format on CD, organized in the same manner as the printed submissions.

The Submission Package shall be placed in a sealed envelope with the submitting firm's name on the outside of the envelope.

All respondents are requested to follow the order and format specified below. Please tab each section of the submittal to correspond to the numbers/headers shown below.

Respondents are advised to adhere to submittal requirements. Failure to comply with the instructions of this RFQ may be cause for rejection of submittals.

URS/BLL and/or CPR reserve the right to waive any informalities in any submittal and/or to reject any or all submittals. URS/BLL and/or CPR reserve the right to seek clarification of information submitted in response to this RFQ during the evaluation and selection process. The Committee may solicit relevant information concerning the firm's record of past performance from previous clients or consultants who have worked with the respondent.

D. Contents

The Submission Package must include the following items:

1. A cover letter signed by an officer of the firm submitting the Submission Package, or signed by another person with authority to act on behalf of and bind the firm. The cover letter must contain a commitment to provide the required Services described with the personnel specified in the submission. The letter should certify that the information contained in the Submission Package is true and correct. Please also indicate the contact person(s) for the selection process along with contact information.
2. Executive Summary: The executive summary must include a clear description of the primary advantages of contracting with your organization. It should also include a brief explanation of how the respondent satisfies the evaluation criteria, and a brief statement that demonstrates respondent's understanding of the desired Services.

3. Demonstration of the Respondent's Qualifications: Please provide the following information:

(a) Your company's name, business address and telephone numbers, including headquarters and local offices.

(b) A brief description of your organization, including names of principals, number of employees, longevity, client base, and areas of specialization and expertise.

(c) A description of your company's prior experience related to correctional and healthcare facilities.

(d) A description of your company's prior experience in California.

(e) A description of your company's specific areas of technical expertise as they relate to this RFQ.

(f) Professional references: Describe previous work on no more than three (3) projects of comparable scope and magnitude for which you provided similar types of services. Provide complete reference information including project name, location, client, total contract amount (and firm's amount if different), principal-in-charge, day-to-day technical project director/manager, key staff, date completed, client reference (name, current position and phone number), and a brief narrative of project description for each project identified and described above. **Experience may not be considered if complete reference data is not provided or if named client contact is unavailable or unwilling to share required information.**

(g) Qualifications of Technical Personnel: Submit current resumes for key personnel committed to this project and a statement regarding their local availability. Specifically describe previous related experience, its pertinence to this program, and provide references including name, address and telephone number of a contact person who can verify the information provided. Provide brief description of referenced project(s), as well as any professional certifications, accreditation, special licensing or other qualifications which qualifies the professional to perform in their designated area of responsibility.

(h) Legal action: Respondent must provide a listing and a brief description of all material legal actions or adverse events, together with any fines and penalties, for the past five (5) years in which (i) respondent or any division, subsidiary or parent company of respondent, or (ii) any member, partner, etc., of respondent if respondent is a business entity other than a corporation, has been:

(1) A debtor in bankruptcy;

(2) A defendant in a legal action alleging deficient performance under a services contract or in violation of any statute related to professional standards or performance;

(3) A respondent in an administrative action for deficient performance on a project or in violation of a statute related to professional standards or performance;

- (4) A defendant in any criminal action;
- (5) A principal of a performance or payment bond for which the surety has provided performance or compensation to an obligee of the bond; or
- (6) A defendant or respondent in a governmental inquiry or action regarding accuracy of preparation of financial statements or disclosure documents.

(i) Default Termination: Disclosure whether your company has defaulted in its performance on a contract in the last five years, which has led to the termination of a contract. Describe briefly the circumstances involved.

(j) Conflict of Interest: Identify any existing financial relationships with other parties that may constitute a real or perceived conflict of interest.

(k) Proposed Rates: Provide a fee schedule for the specific individuals involved.

E. Modification or Withdrawal of Submission Package.

Prior to the submission due date, Respondents may modify or withdraw their submitted qualifications. Such modifications or withdrawals must be submitted to URS/BLL in writing. Any modification must be clearly identified as such and must be submitted in the same manner as the original (e.g., appropriate copies, paper size, etc.). No modifications or withdrawals will be allowed after the submission due date.

F. Public Opening

There will be no public opening of responses to this RFQ. However, after a contract is awarded all Submission Packages may be made available for public review. URS/BLL and CPR make no guarantee that any or all of a Submission Package will be kept confidential, even if the Submission Package is marked "confidential," "proprietary," etc.

G. General Rules

1. Only one Submission Package will be accepted from any one person, partnership, corporation or other entity.
2. Submission Packages received after the deadline will not be considered.
3. This is an RFQ, not a work order. All costs associated with a response to this RFQ, or negotiating a contract, shall be borne by the respondent.
4. URS/BLL and/or CPR failure to address errors or omissions in the proposals shall not constitute a waiver of any requirement for these Services.

H. Reservation of Rights

URS/BLL and/or CPR reserve the right to do the following at any time, at its discretion:

1. Reject any and all Submission Packages, or cancel this RFQ.

2. Waive or correct any minor or inadvertent defect, irregularity or technical error in any Submission Package.
3. Request that certain or all candidates supplement or modify all or certain aspects of their respective Submission Packages or other materials submitted.
4. Procure any services specified in this RFQ by other means.
5. Modify the requirements for services defined in this RFQ, or the required contents or format of the Submission Packages prior to the due date.
6. Extend the deadlines specified in this RFQ, including the deadline for accepting Submission Packages.
7. Negotiate with any or none of the respondents.
8. Terminate negotiations with a respondent without liability, and negotiate with other respondents.
9. Award a contract to any respondent.

All technical inquiries in regard to this RFQ should be addressed to:

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